

MEGIC-00-012



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February 28, 2002

GP 2811  
#5/Election  
4/28/02  
VS

To: Commissioner of Patents and Trademarks

Washington, D.C. 20231

Attn: Art Unit 2811 - P. Costanzo

From: George O. Saile, Reg. No. 19,572

20 McIntosh Drive

Poughkeepsie, N. Y., 12603

RECEIVED  
MAR 27 2002  
TECHNOLOGY CENTER 2800

Subject: | Serial No.: 09/821,546 03/30/01 |

Jin-Yuan Lee et al.

A STRUCTURE AND MANUFACTURING METHOD  
OF CHIP SCALE PACKAGE

| \_ Art Group: 2811 P. Costanzo \_ |

#### RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Restriction or Election Requirement in the Office Action dated 02/13/02. In that Office Action, restriction was required to one of two stated

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on March , 2002.

Stephen B. Ackerman, Reg.# 37761

Signature/Date

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Inventions under 35 U.S.C. 121. The Inventions stated are Group I - Claims 1-10 to a chip-scale package, classified in Class 257, subclass 723 and Group II - Claims 11-41 to a process, classified in Class 438, subclass 106+.

Applicant provisionally elects to be examined the Invention described by the Examiner as Group II - Claims 11-41 drawn to a process classified in Class 438, subclass 106+. This election is made with traverse of the requirement under 37 C.F.R.1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Restriction given in the Office Action. The Examiner gives the reason for the distinctness of the two inventions as (1) that the process as claimed can be used to make other and materially different products or (2) that the product as claimed can be made by another and materially different process (MPEP 806.05(f)). However, upon reading the product Claims against the process Claims one can readily see that the product Claims are directed to "a Chip Scale Package" and the process Claims are directed to "a method of forming a chip scale package (CSP)", it is necessary to obtain claims in both the product and method claim language. The method Claims necessarily use the product and vice versa. The field of search must necessarily cover both the method class/subclass

438/106+ and products class 257/723 in addition to other related Classes and subclasses to provide a complete and adequate search. The fields of search for the Group I and Group II inventions are clearly and necessarily co-extensive. The Examiner's suggestion that "In the instant case, the package of the Group I invention could be made by processes different from those of the Group II invention. For example, the method recited in Claim 11 can be materially altered in that the chips can be attached to the substrate, and then subsequently, the openings in said substrate can be formed by chemical etching, instead of by mechanical or laser drilling as claimed", is very speculative and really has nothing to do with the Claims as presented in this Patent Application. Further, it is respectfully suggested that these reasons are insufficient to place the additional cost of a second Patent Application upon the Applicants. Therefore, it is respectfully requested that the Examiner withdraw this restriction requirement for these reasons.

Withdrawal of the Restriction Requirement and the Allowance of the present Patent Application is requested.

Sincerely,



Stephen B. Ackerman, Reg.# 37761